Senate Study Bill 1118 - Introduced

SEN	ATE FILE
ВУ	(PROPOSED COMMITTEE ON
	STATE GOVERNMENT BILL BY
	CHAIRPERSON SMITH)

A BILL FOR

- 1 An Act relating to canned cocktails and including effective
- 2 date provisions.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 1 Section 1. Section 123.3, Code 2019, is amended by adding
- 2 the following new subsections:
- NEW SUBSECTION. 10A. "Canned cocktail" means a mixed drink
- 4 or cocktail that is premixed and packaged in a metal can and
- 5 contains more than six and twenty-five hundredths percent of
- 6 alcohol by volume but not more than fifteen percent of alcohol
- 7 by volume.
- 8 NEW SUBSECTION. 28A. "Mixed drink or cocktail" means an
- 9 alcoholic beverage, composed in whole or in part of alcoholic
- 10 liquor, that is combined with other alcoholic beverages or
- 11 nonalcoholic beverages or ingredients including but not limited
- 12 to ice, water, soft drinks, or flavorings.
- 13 Sec. 2. Section 123.3, subsection 5, Code 2019, is amended
- 14 to read as follows:
- 15 5. "Alcoholic liquor" means the varieties of liquor defined
- 16 in subsections 3 and 44 which contain more than five percent of
- 17 alcohol by weight, beverages made as described in subsection 7
- 18 which beverages contain more than five percent of alcohol by
- 19 weight or six and twenty-five hundredths percent of alcohol by
- 20 volume but which are not wine as defined in subsection 48, or
- 21 high alcoholic content beer as defined in subsection 20, or
- 22 canned cocktails as defined in subsection 10A, and every other
- 23 liquid or solid, patented or not, containing spirits and every
- 24 beverage obtained by the process described in subsection 48
- 25 containing more than seventeen percent alcohol by weight or
- 26 twenty-one and twenty-five hundredths percent of alcohol by
- 27 volume, and susceptible of being consumed by a human being,
- 28 for beverage purposes. Alcohol manufactured in this state
- 29 for use as fuel pursuant to an experimental distilled spirits
- 30 plant permit or its equivalent issued by the federal bureau of
- 31 alcohol, tobacco and firearms is not an "alcoholic liquor".
- 32 Sec. 3. NEW SECTION. 123.126A Canned cocktails —
- 33 applicability.
- 34 Unless otherwise provided by this chapter, the provisions
- 35 of this chapter applicable to beer shall also apply to canned

- 1 cocktails.
- 2 Sec. 4. Section 123A.2, Code 2019, is amended by adding the
- 3 following new subsection:
- 4 NEW SUBSECTION. 6A. "Canned cocktail" means as defined in
- 5 section 123.3.
- 6 Sec. 5. NEW SECTION. 123A.13 Canned cocktails —
- 7 applicability of chapter.
- 8 The provisions of this chapter that apply to a brewer and
- 9 wholesaler of beer shall apply to a manufacturer and wholesaler
- 10 of canned cocktails.
- 11 Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate
- 12 importance, takes effect upon enactment.
- 13 EXPLANATION
- 14 The inclusion of this explanation does not constitute agreement with
- the explanation's substance by the members of the general assembly.
- 16 This bill concerns canned cocktails.
- 17 Code section 123.3 is amended by adding definitions for
- 18 "canned cocktail" and "mixed drink or cocktail" and amending
- 19 the definition of "alcoholic liquor". "Canned cocktail" is
- 20 defined as a mixed drink or cocktail that is premixed, packaged
- 21 in a metal can, and contains more than 6.25 percent, but not
- 22 more than 15 percent, of alcohol by volume. "Mixed drink or
- 23 cocktail" is defined as an alcoholic beverage, consisting in
- 24 whole or in part of alcoholic liquors, that is combined with
- 25 other alcoholic or nonalcoholic beverages. The definition of
- 26 "alcoholic liquor" is also amended to exclude canned cocktails.
- New Code section 123.126A provides that the provisions of
- 28 Code chapter 123 applicable to beer shall also apply to canned
- 29 cocktails.
- 30 New Code section 123A.13 provides that the provisions of
- 31 Code chapter 123A that apply to brewers and wholesalers of
- 32 beer also apply to manufacturers and wholesalers of canned
- 33 cocktails.
- 34 The bill takes effect upon enactment.